

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

DEMITRUS COOPER *on behalf himself and on behalf and
others similarly situated in the proposed FLSA Collective
Action,*

Civil Action No.: 23-CV-01675-KAM-TAM

Plaintiffs,

AFFIRMATION OF SERVICE

vs.

FIRE & ICE TRUCKING CORP., and CHERYL OWENS

Defendants.

I, MOKUT R. UDOFIA, an attorney duly admitted to practice in the State of New York,
hereby affirms the following under the penalty of perjury:

1. I am an Associate at the Law Office of Robert L. Greener P.C, attorneys for the defendants
and as such I have knowledge about the facts of this case.
2. I make this affirmation in response to the Court's Order on May 19, 2025, which directed
Defendants to re-serve Plaintiff's counsel at the address of record on the docket, and to provide an
explanation for the initial service to a different address.
3. On May 19, 2025, I served Plaintiff's counsel with the Court's May 19, 2025, Order (ECF
No. 47) and Defendants' submissions dated May 16, 2025 (ECF No. 46) via overnight priority
mail at 420 Lexington Avenue, Suite 2458, New York, NY 10170.
4. That address was used based on several indicators that it was Plaintiff counsel's current.
office location:

- a. On May 8, 2025, Defendant Cheryl Owens received an email directly from Plaintiff's counsel, Joshua Levin-Epstein, which she forwarded to me, and it listed 420 Lexington Avenue, Suite 2458 as his address.
- b. Plaintiff counsel's law firm website also lists 420 Lexington Avenue as their office address.
- c. Furthermore, The Declaration of Joshua Levin-Epstein, dated and filed on May 8, 2025 (ECF No. 41), likewise lists 420 Lexington Avenue as his office address.

5. Nonetheless, in an effort to comply with the Court's directive, I proceeded to Plaintiff counsel's address of record listed on the docket; 60 East 42nd Street, Suite 4700, New York, NY 10165.

6. Upon arrival at that location, I was informed by building personnel that I needed to call the law firm. I placed a call to Plaintiff's attorney's office and Mr. Levin-Epstein informed me that he was no longer located at the 42nd Street address and that his office had moved to 420 Lexington Avenue, the same address which I had previously mailed the documents.

7. At Mr. Levin-Epstein's suggestion, I hand-delivered the documents to him personally at 420 Lexington Avenue shortly thereafter. Personal service was thus completed on May 20, 2025.

8. I respectfully submit this affirmation in compliance with the Court's Order and to clarify the factual circumstances that led to service at the Lexington Avenue address, which Plaintiff's counsel confirmed is his current office.

Dated: New York, New York
May 20, 2025

A handwritten signature in black ink, appearing to read "Mokut R. Udofia", is centered on a light gray rectangular background.

Mokut R. Udofia